

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

PETER PISEK, )  
                        )  
Plaintiff,         )  
                        )  
v.                     )      CAUSE NO. 1:06-cv-0372-RLY-TAB  
                        )  
KINDRED HEALTHCARE, INC.     )  
DISABILITY INSURANCE PLAN,    )  
METROPOLITAN LIFE INSURANCE   )  
COMPANY, and KINDRED         )  
HEALTHCARE, INC.,             )  
                        )  
Defendants.         )

**ENTRY OF JUDGMENT**

By Entry dated July 17, 2007 (Docket No. 31), the Court granted in part and denied in part both the Plaintiff's motion for summary judgment (Docket No. 25) and the Defendants' motion for summary judgment (Docket No. 28). The Plaintiff is entitled to penalties from Kindred Healthcare, Inc. in the amount of \$9800 but is not entitled to penalties from Metropolitan Life Insurance Company. The Plaintiff is also entitled to a cost-of-living increase in his monthly benefit from the Kindred Healthcare, Inc. Disability Insurance Plan, retroactive from July 2005. No party is awarded attorneys' fees or costs. A final judgment is ordered accordingly.

DATED this 16th day of August, 2007.



RICHARD L. YOUNG, JUDGE  
United States District Court  
Southern District of Indiana